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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

JAMES D. KROL

U.S. Serial No. 10/692,857

Filed: October 27, 2003



Group Art Unit 1761

Examiner: L. Tran

LOW CARBOHYDRATE FOOD PRODUCT AND METHOD OF MAKING THE SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This is a request for continued examination under 37 CFR 1.114 of the above identified application. Transmitted herewith is a submission under 37 CFR 1.114 as follows:

☐ Consider the Amendment/Response under 37 CFR 1.116 previously filed on \_\_\_\_\_.

☒ Amendment/Response

☐ Information Disclosure Statement

☒ PTO Request Fee for Continued Examination under 37 CFR 1.17(e) - \$405.00/~~\$810.00~~

☒ This response is being filed within the period for response.

☐ The required extension fee was previously paid on \_\_\_\_\_.

☐ Applicant(s) hereby petition for an extension from the date of the Examiner's Action as follows:

<input type="checkbox"/> First-Month Extension.....	\$ 65.00 / \$ 130.00
<input type="checkbox"/> Second-Month Extension.....	\$ 245.00 / \$ 490.00
<input type="checkbox"/> Third-Month Extension.....	\$ 555.00 / \$1110.00

☒ Small entity status of this application has been established.

A check in the amount of \$ 405.00 is attached hereto.

The Commissioner is hereby authorized to charge any additional fees which may be due, or credit any overpayment to Deposit Account No. 02-3690.

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405.00 OP

Respectfully submitted,

By

A handwritten signature in black ink, appearing to read "Theodore A. Breiner".

Theodore A. Breiner, Reg. No. 32,103  
Attorney of Record

Date: December 29, 2008  
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6159/jsl



"PATENT APPLICATION"

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Alexandria, Virginia  
December 29, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

A M E N D M E N T

Dear Sir:

This is being filed concurrently with a request for continued examination under 37 CFR 1.114 and responds to the official action mailed September 7, 2006. The Board of Patent Appeals and Interferences's Decision On Appeal and its Decision On Request For Rehearing affirmed the Examiner's rejection of the claims. Please amend the captioned application as set forth below.